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A. Que
7/25/02
PATENT
DOCKET NO.: 2298/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Hideki ITO, et al.
Serial No. : 09/492,173 ✓
Filed : January 27, 2000 ✓
For : HEAT SHRINKABLE POLYESTER FILM
Group Art Unit : 3727
Examiner : M. Patterson ✓

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

ELECTION OF SPECIES

Sir:

This is in response to the Election of Species of Requirement mailed February 28, 2002 setting forth a shortened statutory response period of one month. Accordingly, this response is due on or before March 28, 2002.

The Examiner requires election of one of the following patentably distinct species:

- I. Claims 1-6, directed to a heat shrinkable polyester film having a transverse tear defect percentage of 20% or less;
- II. Claims 7-29, directed to heat shrinkable polyester film having a shrinkage of about 10 to 40% along its main shrinkage direction.

Applicants elect the species defined by the Examiner as "claims 7-29, directed to heat shrinkable polyester film having a shrinkage of about 10 to 40% along its main shrinkage direction", for prosecution in the present application. Currently, claim 7 is generic.

Upon the allowance of a generic claim, Applicants reserve the right to add further claims directed to additional species embraced by the allowed generic claim. Applicants further reserve the right to file, without prejudice, a divisional application directed to any

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non-elected species and generic claims that embrace such species.

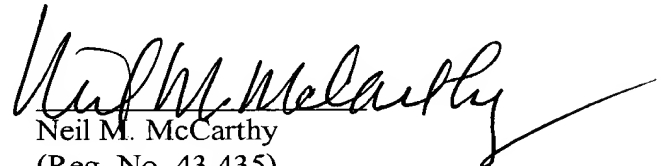
It is not believed that any extension of time or other fees are required in connection with this response. However, the Commissioner is hereby authorized to charge any fee deemed necessary for the filing of this response, or to credit any overpayment, to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

Dated:

March 27, 2002


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